

Schweikert	Strickland	Vela
Scott (VA)	Suozzi	Velázquez
Scott, David	Swallow	Wagner
Sewell	Takano	Walberg
Sherman	Tenney	Walorski
Sherrill	Thompson (CA)	Waltz
Simpson	Thompson (MS)	Wasserman
Sires	Thompson (PA)	Schultz
Slotkin	Titus	Waters
Smith (NE)	Tlaib	Watson Coleman
Smith (NJ)	Tonko	Welch
Smith (WA)	Torres (CA)	Wenstrup
Smucker	Torres (NY)	Wexton
Soto	Trahan	Wild
Spanberger	Trone	Williams (GA)
Spartz	Turner	Wilson (FL)
Speier	Underwood	Wilson (SC)
Stansbury	Upton	Wittman
Stanton	Valadao	Womack
Steel	Van Drew	Yarmuth
Stefanik	Vargas	Young
Stevens	Veasey	Zeldin

## NAYS—105

Aderholt	Foxx	Mooney
Armstrong	Franklin, C.	Moore (AL)
Arrington	Scott	Moore (UT)
Babin	Fulcher	Mullin
Balderson	Gaetz	Murphy (NC)
Banks	Gibbs	Nehls
Bergman	Gohmert	Norman
Biggs	Good (VA)	Owens
Bishop (NC)	Gooden (TX)	Palazzo
Boebert	Gosar	Palmer
Brady	Green (TN)	Pence
Brooks	Greene (GA)	Perry
Buck	Griffith	Pfleger
Bucshon	Grothman	Posey
Budd	Hagedorn	Rice (SC)
Burchett	Harris	Rose
Burgess	Hern	Rosendale
Carl	Herrell	Rouzer
Carter (GA)	Hice (GA)	Roy
Carter (TX)	Hinson	Rutherford
Cawthorn	Huizenga	Scalise
Cline	Jackson	Sessions
Cloud	Johnson (LA)	Smith (MO)
Clyde	Jordan	Steil
Crawford	Keller	Steube
Curtis	Kelly (MS)	Stewart
Davidson	Lamborn	Taylor
DesJarlais	Lesko	Tiffany
Donalds	Loudermilk	Timmons
Duncan	Mann	Van Duyn
Dunn	Massie	Weber (TX)
Estes	Mast	Webster (FL)
Fallon	McCaul	Westerman
Ferguson	McClintock	Williams (TX)
Fitzgerald	Miller (IL)	
Fleischmann	Miller (WV)	

## NOT VOTING—6

Allen	Issa	Scott, Austin
Higgins (LA)	Salazar	Stauber

□ 1630

Mr. BALDERSON changed his vote from “yea” to “nay.”

So (two-thirds being in the affirmative) the rules were suspended and the bills were passed and the resolutions were agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. STAUBER. Mr. Speaker, had I been present, I would have voted “nay” on rollcall No. 212.

Mr. ALLEN. Mr. Speaker, had I been present, I would have voted “nay” on rollcall No. 212.

## MEMBERS RECORDED PURSUANT TO HOUSE RESOLUTION 8, 117TH CONGRESS

Aderholt	Frankel, Lois	Granger
(Moonenar)	(Clark (MA))	(Calvert)
Buchanan	Fulcher	Grijalva
(LaHood)	(Simpson)	(Stanton)
DeSaulnier	Garcia (IL)	Johnson (TX)
(Matsui)	(Garcia (TX))	(Jeffries)
Doyle, Michael	Gottheimer	Jones (Williams)
F. (Cartwright)	(Panetta)	(GA)

Kahele (Moulton)	Meng (Jeffries)	Stewart (Owens)
Kirkpatrick	Napolitano	Trone (Beyer)
(Stanton)	(Correa)	Wilson (FL)
Lawson (FL)	Payne (Pallone)	(Hayes)
(Evans)	Ruiz (Correa)	
McEachin	Rush	
(Wexton)	(Underwood)	

## MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Kaitlyn Roberts, one of his secretaries.

## CONSUMER PROTECTION AND RECOVERY ACT

Mr. PALLONE. Mr. Speaker, pursuant to House Resolution 535, I call up the bill (H.R. 2668) to amend the Federal Trade Commission Act to affirmatively confirm the authority of the Federal Trade Commission to seek permanent injunctions and other equitable relief for violations of any provision of law enforced by the Commission, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. CUELLAR). Pursuant to House Resolution 535, in lieu of the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 117–11, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

## H.R. 2668

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. SHORT TITLE.

*This Act may be cited as the “Consumer Protection and Recovery Act”.*

## SEC. 2. FTC AUTHORITY TO SEEK PERMANENT INJUNCTIONS AND OTHER EQUITABLE RELIEF.

*(a) PERMANENT INJUNCTIONS AND OTHER EQUITABLE RELIEF.—Section 13 of the Federal Trade Commission Act (15 U.S.C. 53) is amended—*

*(1) in subsection (b)—*  
*(A) in paragraph (1), by inserting “has violated,” after “corporation”;*

*(B) in paragraph (2)—*  
*(i) by striking “that” and inserting “that either (A)”;* and

*(ii) by striking “final,” and inserting “final; or (B) the permanent enjoining thereof or the ordering of equitable relief under subsection (e).”;* and

*(C) in the matter following paragraph (2)—*  
*(i) by striking “to enjoin any such act or practice”;*

*(ii) by striking “Upon” and inserting “In a suit under paragraph (2)(A), upon”;*

*(iii) by striking “without bond”;*

*(iv) by striking “proper cases” and inserting “a suit under paragraph (2)(B)”;*

*(v) by striking “injunction.” and inserting “injunction, equitable relief under subsection (e), or such other relief as the court determines to be just and proper, including temporary or preliminary equitable relief.”;*

*(vi) by striking “Any suit” and inserting “Any suit under this subsection.”;* and

*(vii) by striking “In any suit under this section” and inserting “In any such suit”;* and

*(2) by adding at the end the following:*

*“(e) EQUITABLE RELIEF.—*

*“(1) RESTITUTION; CONTRACT RESCISSION AND REFORMATION; REFUNDS; RETURN OF PROPERTY.—In a suit brought under subsection (b)(2)(B), the Commission may seek, and the court may order, with respect to the violation that gives rise to the suit, restitution for losses, rescission or reformation of contracts, refund of money, or return of property.*

*“(2) DISGORGEMENT.—In a suit brought under subsection (b)(2)(B), the Commission may seek, and the court may order, disgorgement of any unjust enrichment that a person, partnership, or corporation obtained as a result of the violation that gives rise to the suit.*

*“(3) CALCULATION.—Any amount that a person, partnership, or corporation is ordered to pay under paragraph (2) with respect to a violation shall be offset by any amount such person, partnership, or corporation is ordered to pay, and the value of any property such person, partnership, or corporation is ordered to return, under paragraph (1) with respect to such violation.*

*“(4) LIMITATIONS PERIOD.—*

*“(A) IN GENERAL.—A court may not order equitable relief under this subsection with respect to any violation occurring before the period that begins on the date that is 10 years before the date on which the Commission files the suit in which such relief is sought.*

*“(B) CALCULATION.—For purposes of calculating the beginning of the period described in subparagraph (A), any time during which an individual against which the equitable relief is sought is outside of the United States shall not be counted.”*

*(b) CONFORMING AMENDMENT.—Section 16(a)(2)(A) of the Federal Trade Commission Act (15 U.S.C. 56(a)(2)(A)) is amended by striking “(relating to injunctive relief)”.*

*(c) APPLICABILITY.—The amendments made by this section shall apply with respect to any action or proceeding that is pending on, or commenced on or after, the date of the enactment of this Act.*

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce or their respective designees.

The gentleman from New Jersey (Mr. PALLONE) and the gentleman from Florida (Mr. BILIRAKIS) each will control 30 minutes.

The Chair recognizes the gentleman from New Jersey.

## GENERAL LEAVE

Mr. PALLONE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2668.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 2668, the Consumer Protection and Recovery Act.

This legislation is essential to protect consumers and honest businesses across the country. It restores a critical tool of the Federal Trade Commission to go to court to get victimized consumers their money back and make lawbreakers return their illegal profits. The tool is section 13(b) of the Federal Trade Commission Act.